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Practitioner's Docket No. PRD2043-USNP

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: J. E. Berkner et al.

Application No.: 10/790,274

Group No.: 1625

Filed: March 01, 2004

Examiner: R. K. Covington

For: ONE STEP PROCESS FOR THE PREPARATION OF ANTICONVULSANT DERIVATIVES

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

PETITION TO ACCEPT A DELAYED CLAIM FOR PRIORITY UNDER
35 U.S.C. 119(e) (37 C.F.R. § 1.78(a)(6))

1. Applicant hereby petitions, in accordance with § 1.78(a)(6), to accept a claim for priority for this application under 35 U.S.C. 119(e) from:

United States provisional application serial number: 60/451,863

Filed on: March 4, 2003

2. Applicant states that the entire delay between the date the claim for priority was due under paragraph (a)(5)(ii) of 37 C.F.R. § 1.78 and the date this claim is filed was unintentional.
3. An amendment under 37 C.F.R. § 1.312 containing the reference required by 35 U.S.C. 119(e) and 37 C.F.R. § 1.78(a)(5) is submitted herewith.

05/17/2006 SFELEKE1 00000017 100750 10790274

01 FC:1454 1370.00 DA

Adjustment date: 08/31/2006 AKELLEY

05/17/2006 SFELEKE1 00000017 100750 10790274

01 FC:1454 1370.00 CR

CERTIFICATION UNDER 37 C.F.R. § 1.8(a)

I hereby certify that, on the date shown below, this correspondence is being deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 with sufficient postage as first class mail.

Date: May 12, 2006

/Mary A. Appollina/

Signature

Mary A. Appollina, Reg. #34,087
(type or print name of person certifying)

4. The surcharge fee set forth in § 1.17(t) required by 37 C.F.R. 1.78(a)(6), is paid as follows:

Authorization is hereby made to charge the amount of \$1,370.00 to Deposit Account No. 10-0750/PRD-2043/MAA.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

Date: May 12, 2006

/Mary A. Appollina/

Mary A. Appollina, Reg. #34.087
Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933
732-524-3742

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND												
1 Date of Request: <u>08/20/06</u>		2 Serial/Patent # <u>10/790,274</u>										
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT								
	Filing			\$								
	Amendment			\$								
	Extension of Time			\$								
	Notice of Appeal/Appeal			\$								
X	Petition		05/16/06	\$ 1,370.00								
	Issue			\$								
	Cert of Correction/Terminal Disc.			\$								
	Maintenance			\$								
	Assignment			\$								
	Other			\$								
			7 TOTAL AMOUNT OF REFUND		\$ 1,370.00							
			8 TO BE REFUNDED BY:									
10 REASON:			Treasury Check									
	Overpayment	X Credit Deposit A/C #:										
	Duplicate Payment	9 <table border="1" style="display: inline-table; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 20px;">1</td> <td style="width: 20px;">0</td> <td style="width: 20px;">--</td> <td style="width: 20px;">0</td> <td style="width: 20px;">7</td> <td style="width: 20px;">5</td> <td style="width: 20px;">0</td> </tr> </table>				1	0	--	0	7	5	0
1	0	--	0	7	5	0						
X	No Fee Due (Explanation):											
Petition dismissed as moot												
11 REFUND REQUESTED BY:												
TYPED/PRINTED NAME: <u>Kenya A. McLaughlin</u>		TITLE: <u>Petitions Attorney</u>										
SIGNATURE: <u><i>Kenya A. McLaughlin</i></u>		PHONE: <u>2-3222</u>										
OFFICE: <u>Petitions</u>												
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****												
APPROVED: <u><i>AKH</i></u>		DATE: <u>8/31/06</u>										

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to: